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September 16, 1939

Mr. Melvin J. Benson, President,
Sand Wash Irrigation Company,
Ioka, Utah.

Dear Sir:

REL: SAND WASH DISTRIBUTION

Since conferring with you at the Uintah Basin Industrial Conference, and upon receipt of your letter of September 1, 1939, as you already know, Mr. Burton, assistant in this office, has made an investigation of your distribution problem on Sand Wash in Duchesne county and, without going into further detail, this will advise you that as a result of a report made, I am willing, and will appoint a Commissioner next spring if and when a meeting is called, after proper notice will have been given to all water users of Sand Wash - both legitimate users and otherwise. I suggest that you call my attention to this about two weeks in advance of the time when distribution becomes necessary and, at the same time, give to me (a) the names and addresses of every water user involved - both legitimate and otherwise, and (b) the name of a convenient place at which a meeting of such water users might be held, together with a date that would most likely meet the wishes of the water users concerned. It will be my purpose to have a representative from this office present at that meeting to discuss the water laws, with particular reference to the problems of distribution and the penalty exacted under the law for the diversion, or taking of water, from any stream or channel without the right to the use thereof.

So that you might have in mind somewhat of the requirements to be met before a Commissioner is appointed, I am enclosing herewith a blank form that will give you somewhat of an idea of what is exacted. In the event that a Commissioner is appointed, the cost involved will of necessity have to be met by the water users of Sand Wash - the amounts to be levied and collected by the State Engineer; or, if preferable (and that is quite agreeable to this office) the water users themselves can collect the assessments and reimburse the Commissioner from such funds. If this method be adopted, the only requirement in the way of money would be \$5.00 to pay for the bond of the Commissioner, exacted under the law before a Commissioner can be appointed by the State Engineer.

Yours very truly,

T. H. Humphreys
STATE ENGINEER

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Blank forms enclosed

B. C.